



**MINUTES  
CITY COUNCIL MEETING  
June 7, 2022**

**CALL TO ORDER**

The meeting was called to order at 6:30 pm.

**Present:** Mayor: Charlie Miner; Council: Deirdre Kvale, Mike Feldmann, Jahn Dyvik, and Gina Joyce

**Staff Present:** City Administrator: Scott Weske; Public Works Director: Sean Diercks; Fire Chief: James Van Eyll; City Attorney: John Thames; and City Engineer: Brad Reifsteck

**Absent:** None

**PLEDGE OF ALLEGIANCE**

**MAYOR'S COMMENTS – LONG LAKE NEWS, MEETING REVIEW AND UPDATES**

Mayor Miner offered the following comments and updates:

The Council had met in a work session prior to the regular meeting at which closed session discussions were held regarding potential litigation with Green Mavericks, LLC and Castle Rock Financial Corporation related to security posted for the Landings at Long Lake subdivision; and development of offers and counteroffers for the purchase or sale of real estate located at 340 Willow Drive N.

Mayor Miner thanked all those who participated in the events at Nelson Lakeside Park during Memorial Day. He expressed his appreciation to the Orono Rotary Club, the Long Lake Fire Department, and the Public Works Department for their work to make Memorial Day activities successful events for the City.

**APPROVE AGENDA**

*A motion was made by Feldmann, seconded by Dyvik, to approve the agenda as presented. Ayes: all.*

**CONSENT AGENDA**

- A. Approve Minutes of May 17, 2022 City Council Meeting
- B. Receive Unofficial Draft Minutes of May 17, 2022 Economic Development Authority Meeting
- C. Approve Vendor Claims and Payroll
- D. Approve Issuance of a 1 to 4 Day Temporary On-Sale Liquor License for the Church of St. George to Allow Sales/Service of Alcoholic Beverages during the Catholic Knight Out Dinner Event on Tuesday, July 19, 2022; and to Approve Issuance of a Noise Variance Permit
- E. Adopt Resolution No. 2022-23 Approving Issuance of Special Event Permit #S2022-07 for the Werner Wedding Fireworks Display on Long Lake to be held at Birch's on the Lake on Saturday, July 2, 2022
- F. Adopt Resolution No. 2022-24 Accepting a Donation to the Long Lake Fire Department in the Amount of \$150 from Mary Jane Safar
- G. Adopt Resolution No. 2022-25 Accepting a Donation to the Long Lake Fire Department in the amount of \$2,300 from CenterPoint Energy

Mayor Miner noted that Consent Agenda Items F and G were both donations to the Long Lake Fire Department and expressed his appreciation for those gifts. He inquired about Consent Item E, the fireworks permit, and asked if this was the first time the City has issued a fireworks permit for Birch's.

Fire Chief VanEyll responded that he believed this may be the first fireworks display permit that has been done for a private event at Birch's.

The Council discussed notification requirements within 1,000 feet of the fireworks display and the possibility of utilizing ListServ to further inform residents.

*A motion was made by Dyvik, seconded by Feldmann, to approve the Consent Agenda as presented. Ayes: all.*

## **OPEN CORRESPONDENCE**

**Brian Miller, 295 Lakeview Avenue** – Mr. Miller voiced concerns about overnight on street parking occurring in his neighborhood. He shared an example from earlier that morning of being summoned outdoors by the garbage truck honking its horn on Central Avenue because the truck could not drive down the road to pick up their garbage due to two vehicles that had parked on the road overnight. He pointed out that if a garbage truck cannot get down the street, neither can emergency vehicles. He proposed that the south side of Central Avenue be signed as a permanent 'No Parking Anytime' zone. He suggested that there also be a sign located somewhere in the neighborhood that explains the parking rules.

## **BUSINESS ITEMS**

### **2022 Pavement Improvement Project – Accept Plans and Specifications, Advertise for Bids**

City Engineer Reifsteck presented an overview of the proposed 2022 Pavement Improvement Project which would include both full-depth reclamation and mill and overlay projects on Westwood Drive, Valley View Road, Kennedy Lane, Bollum Lane, Orchard Circle, Bollum Circle, and Meadow Lane. He reviewed the proposed schedule of opening bids on July 6, 2022 and the plans to bring a bid award item back to the Council for consideration at their July 19, 2022 regular meeting. He added that he is estimating that the project will come in a bit over the original budgeted amount.

The Council discussed how the project may be funded with Pavement Management Plan franchise fees and what reserve may be left depending on how the bids come in.

*A motion was made by Dyvik, seconded by Miner, to adopt Resolution No. 2022-26 accepting plans and specifications for the 2022 Pavement Improvement Project and to authorize the advertisement for bids. Ayes: all.*

### **Consider Direction to Staff on Communications with Orono and the Public Regarding the Long Lake Fire Department**

Mayor Miner explained that the Council will be sending a letter to the City of Orono regarding the City's position regarding the Long Lake Fire Department situation. He mentioned that there are updates and documents available on the City's webpage that include communication and history between the two cities dating back to 2018 relative to ongoing Fire Department discussions.

Council member Dyvik stated that he wanted to comment on some misinformation that he would like to correct. He indicated that he had watched the May 23, 2022 Orono City Council meeting

where they continued to perpetuate a lie regarding the Fire Department agreement. He recalled that Orono's standard comment is that they 'pay 80% of the bill, but they have no control'. He clarified that they pay 80% of the bill because they receive 80% of the service and to say that they have no control is not accurate. He explained that there is a Fire Advisory Board that exists that is comprised of representation from Long Lake, Orono and Medina, meets on a regular basis, and also works with Fire Chief Van Eyll to put together a budget and make other operational decisions. He stated that nothing is put forward without Orono having opportunity to be involved in the decision, if they choose to attend the meetings. Once the Fire Advisory Board comes up with a plan, it has to be passed and approved by the full Orono City Council. He reiterated that their statement that Orono has no control and no say in what happens is untrue. He shared that he believes they mean to say that they don't have 'complete control', which is what he feels they want. In response to the City of Orono's comments on the questions that the City of Long Lake had submitted, in a recent letter that was sent, Orono stated that 'it was easy to answer these because we have given these answers so many times in so many different formats.' Once again, Council member Dyvik indicated this is not a true statement. He admitted that some of the questions had been discussed; for example, what their appraised value was for Station #1; but many of the questions had not been discussed at all and even when they had been discussed, Long Lake did not receive a clear position from Orono. He emphasized that their statement that Orono had answered these questions many times and in many formats was not true. He added that when discussion of the Fire Relief fund was brought up, he wanted to make clear that the City realizes it does not own the pension plan because it belongs to the vested firefighters; however, there is some value to that fund if it is transferred to Orono rather than starting a new one. He explained that the entire reason that all of the questions were asked was to decide if the City of Long Lake was a 'buyer' or a 'seller' and to see if there would be some financial consideration given for the Fire Relief fund. The questions were in no way a statement that the City of Long Lake felt like they owned the money that is in the pension fund. He commented that Orono had also made a statement that they could not get an answer from Long Lake. He stated that Long Lake has, since they found out Orono wanted out of this agreement, been meeting with Maple Plain, Medina, Corcoran, Independence, Wayzata, Loretto, Hamel, and the State Fire Marshal on a regular basis. There is a national trend that costs are going up for Fire Departments and there has to be some sort of collaboration, cooperation, or sharing of resources in order to keep those costs down. The only entity that has been absent from those discussions is Orono because they want to be stand-alone, and they have every right to do that.

Mayor Miner encouraged anyone interested in more information to read through the letters, especially the letter the City of Long Lake wrote dated May 17, 2022, that lays out the timeline and other pertinent details in this situation. Long Lake is pleased with the current Fire Department and wants to continue to operate it. The City will be responding to Orono's letter sometime in the next few days. The City's response letter will be available on the website, and he assured residents that the Council desires to be very transparent with residents on what has been occurring.

Sam Rettinger, 425 Lake Street, spoke to indicate that he will also be writing a letter, but noted that Long Lake is only paying 20% of the bill because they aren't even a square mile in size and Orono is probably about 20 square miles in area. Long Lake is also paying 20% of the bill for 80% of the equipment that they have no use for. In his opinion, Long Lake needs two vehicles to cover the entire City and does not need things like mountain climbing ropes or dive teams.

#### **Discuss Availability for Tuesday, July 5, 2022 City Council Meeting; Reschedule Meeting, as Needed**

Mayor Miner asked if the Council would be in town or traveling over the July 4<sup>th</sup> holiday.

Following discussion, it was determined that the Council would be in town and the July 5, 2022 Council meeting could still be held as scheduled.

**Closed Session Pursuant to Attorney-Client Privilege: Discussion of Pending Litigation with Owner and Lessor of 505 Tamarack Avenue**

*A motion was made by Feldmann, seconded by Miner, to move the City Council meeting into a closed session. Ayes: all.*

*A motion was made by Dyvik, seconded by Joyce, to move the City Council meeting out of a closed session. Ayes: all.*

Mayor Miner summarized that the City Council had given City Attorney Thames direction on pending litigation with the owner and lessor of the 505 Tamarack Avenue property.

**OTHER BUSINESS**

**Wayzata Boulevard W Plantings** – Council member Dyvik reported he had sent an email to Administrator Weske and Public Works Director Diercks informing them that he had counted and nine of the 12 trees planted along the front of Gear West were dead. Diercks responded that staff is awaiting answers on a possible warranty for those trees. Council member Dyvik noted that he thinks having trees along that stretch is a good idea. Diercks reported that Public Works had also sprayed weeds along the boulevard in the corridor a few weeks ago and overseeded it so he is hopeful that there will be some grass cover returning in the near future.

**Use of Fill at Dexter Park** – Diercks advised that the contractor who will be working at the Zvago site needs a place to put 10,000 yards of fill, and City staff is looking at the possibility of undertaking some landscaping and fill work at Dexter Park. The fill material would be free and the contractor would be providing delivery, bulldozing and shaping work for the City. He added that this plan has not been fully solidified, but staff is negotiating and considering the concept further.

**Tornado Siren Status** – Council member Joyce inquired about the operational status of the tornado siren at the east end of town. Diercks replied that it had a blown fuse and repairs were completed the previous Friday.

**Virginia Avenue Project Update** – Council member Dyvik noted that he had been receiving questions about the Virginia Avenue project and why nothing had been happening. Weske explained that there is a new builder for the project that is still in their due diligence period and he expects that work could begin before the end of the summer. Thames added that there will likely be some proposed assignment documentation coming forward at an upcoming Council meeting for that project.

**ADJOURN**

*Hearing no objection, Mayor Miner adjourned the meeting by general consent at 8:25 pm.*

Respectfully submitted,

Scott Weske  
City Administrator